



## CHAPTER 39.

**An Act to exempt certain Free Miners from performing and recording Work on their Mining Property pursuant to the Mining Laws of the Province.**

*[Assented to March 18th, 1943.]*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of British Columbia, enacts as follows:—

1. This Act may be cited as the “Free Miners’ Exemption Act.” Short title.

2. In this Act, unless the context otherwise requires, “person” includes a mining partnership and a joint-stock company within the meaning of these expressions as used in the “Mineral Act” and the “Placer-mining Act.” Interpretation.

3. A person who on the first day of June, 1942, was the holder of a valid free miner’s certificate, and who on that date was the owner of a mineral claim or placer-mining lease in good standing, shall, notwithstanding anything contained in the “Mineral Act” or in the “Placer-mining Act,” but subject to the provisions of sections 4 and 5, be exempt from the provisions of the said Acts with respect to the performance of work or payment in lieu thereof on such claim or lease, and in the case of a placer-mining lease he shall be relieved from the payment of the annual rental. Cases in which exemption is granted.

4. No person shall obtain the benefits of section 3 unless he files or causes to be filed in the office of the Mining Recorder for the mining division in which his claim or placer-mining lease is recorded or issued on or before the first day of May in the year 1943 or on or before the anniversary in that year of the date of Notice to be filed with Mining Recorder.

the recording of the mineral claim or of the date of the issue of the placer-mining lease, whichever date is later, and in subsequent years on or before the anniversary of the date of record or issue, as the case may be, a notice of his desire to hold the mineral claim or placer-mining lease under this Act. He shall pay to the Mining Recorder for the recording of the notice a fee of two dollars and fifty cents for every mineral claim or placer-mining lease in respect of which notice is filed.

Restriction on  
number of  
claims or leases  
benefited.

5. No person, if an individual, shall be entitled to file a notice or obtain the benefit of this Act in respect of more than eight mineral claims or eight placer-mining leases, or a total of eight mineral claims and placer-mining leases. No mining partnership and no joint-stock company shall be entitled to file a claim or obtain the benefit of this Act in respect of more than sixteen mineral claims or sixteen placer-mining leases, or a total of sixteen mineral claims and placer-mining leases.

Provision where  
claim or lease  
has lapsed.

6. Where a person who is within the provisions of section 3 in respect of a mineral claim or placer-mining lease has, since the first day of June, 1942, permitted that mineral claim or placer-mining lease to lapse or has incurred a forfeiture in respect thereof, he shall nevertheless be entitled to the benefits of this Act in respect of that mineral claim or placer-mining lease; and on compliance with the provisions of this Act he shall be entitled to have the mineral claim or placer-mining lease reinstated: Provided that if any person has relocated under the "Mineral Act" or under the "Placer-mining Act" the ground or any part of the ground covered by a mineral claim or a placer-mining lease that has lapsed or been forfeited since the first day of June, 1942, the person who held the claim or lease before the first day of June, 1942, and the person who has relocated shall have a joint interest in that portion of the lapsed or forfeited ground that is covered by the relocation; and the interest of each shall be in proportion to the money that each has spent on or for the purpose of acquiring or developing that portion of the lapsed or forfeited ground that is covered by the relocation. If the parties fail to agree upon the interest that each shall have, the matter shall be referred to arbitration by three arbitrators, of whom one shall be appointed by each of the parties and the third by the Minister of Mines; and there shall be no appeal from the decision of the arbitrators.

Power to make  
regulations.

7. For the purpose of giving full effect to the provisions of this Act according to their true intent, the Lieutenant-Governor in Council may make regulations, including such regulations as in his opinion are necessary or desirable for carrying out the spirit, intent, and meaning of this Act in relation to matters for

which no express provision has been made, or in respect of which only partial or imperfect provision has been made.

8. The Lieutenant-Governor in Council may at any time, by Proclamation to be published in the Gazette, terminate the operation of this Act, as at a date to be named in the Proclamation, or provide that this Act shall have effect subject to such limitations as may be prescribed by the Proclamation.

Power to terminate  
or limit effect  
of Act.

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